

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

HEALTHIER CHOICES
MANAGEMENT CORP.,

Plaintiff,

v.

PHILIP MORRIS USA, INC. and
PHILIP MORRIS PRODUCTS S.A.,

Defendants.

Case No. 1:20-cv-04816-TCB

NOTICE OF FILING OF PETITION FOR INTER PARTES REVIEW

Defendant Philip Morris Products S.A. provides notice to the Court that on June 14, 2021, it filed in the United States Patent & Trademark Office a Petition for *Inter Partes Review* (“IPR petition”) of United States Patent No. 10,561,170, the sole asserted patent in this litigation. The purpose of this Notice is to notify the Court of the filing of the IPR petition, a courtesy copy of which was sent to all counsel of record immediately after filing. The filing of the IPR Petition does not affect the validity or ripeness of the pending Motion to Dismiss filed jointly by Defendants in this action on February 25, 2021.

This 15th day of June, 2021.

Respectfully submitted,

/s/Henry D. Fellows, Jr.

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CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1D the undersigned hereby certifies that the foregoing document has been prepared in Times New Roman 14 point, one of the four fonts and points approved by the Court in L.R. 5.1C.

/s/Henry D. Fellows, Jr.
Henry D. Fellows, Jr.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 15, 2021, the foregoing document was filed with the Clerk of the Court using CM/ECF, which will send electronic notification of such filing to all counsel of record.

/s/Henry D. Fellows, Jr.
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